

In re Patent Application of:

**THOMSON ET AL.**

Serial No. 09/658,509

Filed: **SEPTEMBER 8, 2000**

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#### REMARKS

Applicants would like to thank the Board of Patent Appeals and Interferences for the helpful interpretation of the cited prior art references and the claim language in the present application. Based upon the helpful guidance, Applicants have amended independent Claims 1, 11 and 20 to define over the cited prior art references. A terminal disclaimer is also submitted to remove the double patenting rejection.

#### I. The Amended Claims

Independent Claim 1 is directed to a bicycle stem for connecting a bicycle handlebar to a bicycle steering tube. Claim 1 has been amended to recite that it includes a body portion having a tubular shape with a hollow interior and opposing first and second ends, the second end of the body portion being open and defining a generally circular opening. Support for this amendment is found with reference to FIGS. 19 and 20, and their related description. Claim 1 has also been amended to recite that the cavity in the recess of the handlebar clamping member is spaced from opposing portions of the handlebar as can be seen in the cross-sectional view of FIG. 19, for example. In addition, Claim 1 has been amended to recite that the cavity in the recess of the handlebar clamping member has a lateral extent substantially the same as a diameter of the circular opening of the second open end of the body portion. This can be seen in FIG. 19, for example. Lastly, Claim 1 has been amended to recite that the cavity of the recess of the handlebar clamping portion has an opening therein aligned with the circular opening of the second open end of the body portion.

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This can also be seen with reference to FIGS. 19 and 20, for example. Independent Claims 11 and 20 have been similarly amended.

In other words, several other significant features of the stem are now recited in the claims. The alignment of the opening in the end of the tubular body is described with respect to the opening in the handlebar clamping portion. The lateral extent of the cavity of the handlebar clamping member has been related to the diameter of the opening in the end of the tubular body. In addition, the spaced relationship between the cavity of the handlebar clamping member and the handlebar has also been recited in the claims.

**II. Claims 1-4, 9, 10 and 20-22 and 24-27 Are Patentable Over Giard, Jeshurun et al. and Lai**

Prior independent Claims 1 and 20 were rejected over Giard and Jeshurun et al., with the Examiner citing Giard as disclosing a number of the claimed features, but the Examiner correctly recognized that Giard fails to disclose the clamping member and clamping portion having the claimed cavity. The Examiner cited Jeshurun et al. as disclosing the claimed cavity. Lai is cited as disclosing a pair of clamp members aligned in side-by-side relation.

Applicants submit that the combination of Giard, Jeshurun et al. and Lai fails to teach or suggest the claimed invention. More particularly, the references fail to disclose that the cavity in the recess of the handlebar clamping member is spaced from opposing portions of the handlebar, that the cavity in the recess of the handlebar clamping member has a

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lateral extent substantially the same as a diameter of the circular opening of the second open end of the body portion, and that the cavity of the recess of the handlebar clamping portion has an opening therein aligned with the circular opening of the second open end of the body portion.

**III. Claims 1-4, 6-8, 11-14 and 16-19 Are Patentable Over**

**Roddy, Jeshurun et al., Giard and Lai**

Prior independent Claims 1 and 11 were rejected over the four-way combination of Roddy, Jeshurun et al., Giard and Lai. Applicants also respectfully submit that even this combination of references fails to teach or suggest the claimed invention. The combination of references fails to disclose that the cavity in the recess of the handlebar clamping member is spaced from opposing portions of the handlebar, that the cavity in the recess of the handlebar clamping member has a lateral extent substantially the same as a diameter of the circular opening of the second open end of the body portion, and that the cavity of the recess of the handlebar clamping portion has an opening therein aligned with the circular opening of the second open end of the body portion.

**IV. Claims 20, 22 and 23 Are Patentable Over Roddy, Giard and Jeshurun et al.**

Prior independent Claim 20 was rejected over the three-way combination of Roddy, Giard and Jeshurun et al. Applicants also submit that even this combination of references fails to teach or suggest the claimed invention. The references fail to disclose that the cavity in the recess of the handlebar

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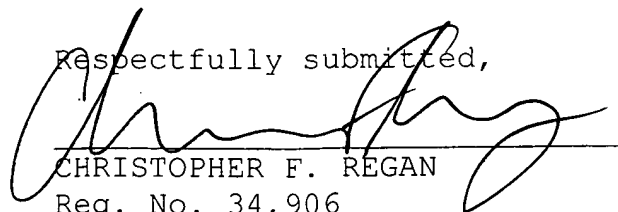
clamping member is spaced from opposing portions of the handlebar, that the cavity in the recess of the handlebar clamping member has a lateral extent substantially the same as a diameter of the circular opening of the second open end of the body portion, and that the cavity of the recess of the handlebar clamping portion has an opening therein aligned with the circular opening of the second open end of the body portion.

It is respectfully submitted that independent Claims 1, 11, and 20 are patentable for the reasons detailed above. In view of the patentability of the independent claims, it is also submitted that their dependent claims, which recite yet further distinguishing features, are also patentable. These dependent claims require no further discussion herein.

#### **V. CONCLUSIONS**

In view of the amendments and arguments presented herein, it is submitted that all of the claims are patentable over the prior art. Accordingly, Applicants respectfully request a Notice of Allowance in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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